

CERTIFICATE OF CONFERRAL

In accordance with Local Rule 12.1(c), the undersigned counsel certifies that, prior to the filing of Defendant's Motion to Dismiss, undersigned counsel attempted to confer to determine whether an amendment could cure the defects alleged in the Second Amended Complaint and were unable to connect with opposing counsel prior to the deadline to file the Motion to Dismiss. Defendants have agreed to reconsider their position on the Motion to Dismiss to the extent that the parties can agree that the claims are curable by a permissible amendment.

/s/ Aaron D. Arnson

Aaron D. Arnson

May 28, 2024

Date